

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

CORRIE GILLISPIE,)
)
Petitioner,)
)
v.) Civil Action No. 3:21CV452-HEH
)
)
UNITED STATES OF AMERICA,)
)
)
Respondent.)

MEMORANDUM OPINION
(Denying § 2255 Motion)

Corrie Gillispie, a federal prisoner currently incarcerated in FCI Petersburg, was convicted and sentenced in the United States District Court for the Eastern District of Tennessee on September 7, 2018. *See United States v. Gillispie*, No. 1:16CR77-TRM-CHS-1 (E.D. Tenn. Sept. 28, 2018). On July 14, 2021, the Court received from Gillispie a hand-written document titled, “NOTICE THAT PETITIONER IS UNLAWFULLY HELD UNDER VIRGINIA’S JURISDICTION WITHOUT JUSTIFICATION,” in which he attacks his convictions and sentences for various human-trafficking offenses from the Eastern District of Tennessee. (ECF No. 1.)

A motion pursuant to 28 U.S.C. § 2255 provides the primary means of collateral attack on the imposition of a federal conviction and sentence. *See Pack v. Yusuff*, 218 F.3d 448, 451 (5th Cir. 2000) (quoting *Cox v. Warden, Fed. Det. Ctr.*, 911 F.2d 1111, 1113 (5th Cir. 1990)). To the extent that Gillispie wishes to challenge his convictions or his sentences, he must file a § 2255 motion in the court where he was convicted and

sentenced. Accordingly, Gillispie's present submission, which the Court construes as an attempt to file a § 2255 motion, will be denied without prejudice. The action will be dismissed. A certificate of appealability will be denied.

The Clerk is directed to forward to Gillispie the form for filing a motion under 28 U.S.C. § 2255. Any § 2255 motion that Gillispie files must conform to the rules governing such motions and be sworn to under the penalty of perjury. *See* Rules Governing § 2255 Proceedings for the U.S. District Courts, Rule 2(b). Gillispie is also advised that § 2255 motions are subject to a one-year statute of limitations and a restriction against second or successive petitions. *See* 28 U.S.C. § 2255(f), (h). If Gillispie desires to file a § 2255 motion at this time, he should complete the form and send it to the United States District Court for the Eastern District of Tennessee.

An appropriate Order shall accompany this Memorandum Opinion.

 /s/

Henry E. Hudson
Senior United States District Judge

Date: July 30, 2021
Richmond, Virginia